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**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hideo KOBAYASHI et al.

Group Art Unit: 3747

Application No.: 10/684,486

Examiner: N. KAMEN

Filed: October 15, 2003

Docket No.: 111904.01

For: INTERNAL COMBUSTION ENGINE WITH REGENERATOR

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the April 21, 2004 Election of Species Requirement, Applicants note that claims 4-12, 14 and 16 are pending as identified in the October 15, 2003 filed Preliminary Amendment. During a telephone call on April 29, 2004, the Examiner confirmed that claims 4-12, 14 and 16 are pending.

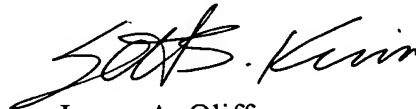
Further, all of the pending claims 4-12, 14 and 16 are readable on the species of Figure 1 and claims 4 and 16 are generic to all species. Therefore, Applicants provisionally elect the Species of Figure 1, claims 4-12, 14 and 16, with traverse.

Applicants respectfully submit that the species identified by the Examiner is not an unreasonable number of species. Therefore, the Office will be only minimally burdened to examine the species.

It is also respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining group of claims. Thus, it is

respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Respectfully submitted,



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Date: May 12, 2004

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